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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

In re RUBEN R., a Person Coming Under
the Juvenile Court Law.

B271248

(Los Angeles County
Super. Ct. No. VJ44888)

THE PEOPLE,

Plaintiff and Respondent,

v.

RUBEN R.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of Los Angeles County,
Kevin L. Brown, Judge. Affirmed.

Bruce G. Finebaum, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.

FACTUAL AND PROCEDURAL BACKGROUND

On December 12, 2014 then 14-year-old Ruben R. was found inside the bathroom of his former high school campus from which he had been barred. The police discovered a small plastic bag of marijuana in Ruben's possession. On March 22, 2015 Ruben was seen on the roof of an elementary school. He fled and was ultimately detained by the police, who found a knife and a small plastic bag of marijuana in his possession.

On May 18, 2015 the People filed two petitions against Ruben under Welfare and Institutions Code section 602.¹ The first petition alleged that on March 22, 2015 Ruben was carrying a switchblade knife upon his person (Pen. Code, § 21510, subd. (b), count 1) and 28.5 grams or less of marijuana (Health & Saf. Code, § 11357, subd. (b), count 2). The second petition alleged that on December 12, 2014 Ruben was in possession of 28.5 grams or less of marijuana on school grounds (Health & Saf. Code, § 11357, subd. (e)). Ruben denied the allegations.

On June 18, 2015 Ruben admitted the count 1 allegations of both petitions. The juvenile court sustained the allegations, dismissed count 2 of the first petition, possession of 28.5 grams or less of marijuana, and placed Ruben on probation for six months without declaring him a ward of the court, pursuant to section 725, subdivision (a).

In September 2015, based on Ruben's alleged failure to comply with the conditions of his probation, the juvenile court held a hearing, and placed Ruben in the Community Detention Program (CDP), still without declaring him a ward of the court. Following a hearing on November 2, 2015, the court terminated Ruben's probation under section 725, subdivision (a), as unsuccessful, declared Ruben a ward of the court, and ordered him home on probation.

¹ Undesignated statutory references are to the Welfare and Institutions Code.

On February 17, 2016 the People filed a petition under section 777 alleging that Ruben had repeatedly violated several probation conditions, including the conditions that he regularly attend school and maintain satisfactory grades. At a hearing the same day, Ruben admitted he had violated those terms of his probation. The juvenile court sustained the petition, ordered Ruben into the CDP for 30 days, and continued his placement at home on probation, but stated that if Ruben violated the terms of his probation again, the court would detain him.

On February 24, 2016, the People filed another petition under section 777, alleging that Ruben had violated a condition of the CDP. Ruben denied the allegation. The court detained Ruben.

At a probation revocation hearing on March 14, 2016, Deputy Probation Officer Blanca Gomez testified that, when the court places juvenile probationers in the CDP, they are under house arrest and subject to electronic monitoring by the probation department. Probationers must wear an ankle bracelet that enables probation officers to determine whether they remain at home. Gomez was monitoring Ruben. On February 18, 2016 Ruben left home and never returned, which Ruben's mother later confirmed.

At the conclusion of the hearing, the juvenile court found Ruben in violation of probation and ordered him into suitable placement. Ruben filed a timely notice of appeal from the order.

DISCUSSION

We appointed counsel to represent Ruben on appeal. After examining the record, counsel filed an opening brief raising no issues. On July 11, 2016 we advised Ruben he had 30 days to submit any arguments or raise any issues he wanted us to consider. We have not received a response.

We have examined the record and are satisfied that appellate counsel for Ruben has fully complied with his responsibilities and that there are no arguable issues. (See *Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The order is affirmed.

SEGAL, J.

We concur:

PERLUSS, P.J.

KEENY, J.*

*Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.